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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,248	01/21/2004	Kia Silverbrook	RRA15US	1575

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER	
MARTIN, LAURA E	

ART UNIT	PAPER NUMBER
2853	

MAIL DATE	DELIVERY MODE
11/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/760,248	SILVERBROOK, KIA	
	Examiner	Art Unit	
	LAURA E. MARTIN	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/11/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification fails to disclose a shield arranged alongside the nozzle substrate so that the nozzle substrate is uncovered with respect to the print media on which printing is performed by the ink jet nozzles so as to protect the nozzles from contact with the paper.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) in view of Silverbrook et al. (US 6443555).

Silverbrook ('513) discloses the following claim limitations:

As per claim 1: a printer cartridge for an inkjet printer including: a printing fluid storage (figure 3, element 8); a pagewidth printhead (figure 3, element 4) in fluid communication with the printing fluid storage (figure 4, elements 20a,b,c,d), the printhead having an array of inkjet nozzles formed on a nozzle substrate (figure 2, nozzles on element 4); and a shield (figure 1, element 5) arranged alongside the nozzle substrate so that the nozzle substrate is uncovered with respect to the print media on which printing is performed by the ink jet nozzles, and (figure 1, element 4 – nozzles are able to print through slits in the shield onto the print media, therefore they are uncovered with respect to the print media; the shield does protect the nozzles from media contact) so as to contact (column 5, lines 26-44), and thereby protect inkjet nozzles from contact with paper (figure 1, element 2) before the paper leaves the shield so as to pass the nozzle substrate (the paper passes over the nozzle substrate, while being protected by the shield),

As per claim 2: an elongate body (figure 3, element 25) housing the printing fluid storage (the shield is adjacent to the uncovered printing surface in order to protect the nozzles from contact with paper).

Silverbrook ('513) does not disclose the following claim limitations:

As per claim 1: a cradle of an inkjet printer into which the printhead is placed.

Silverbrook ('555) discloses the following claim limitations:

Silverbrook et al. ('555) teaches a cradle of an inkjet printer into which the printhead is placed (figure 9, element 56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printhead of Silverbrook et al. ('513) with the disclosure of Silverbrook et al. ('555) in order to create a stable and secure means of stationing the printhead during a print job and allowing for easy replacement of printheads.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) and Silverbrook et al. (US 6443555), and further in view of Silverbrook (6893109).

Silverbrook et al. as modified does not disclose the shield further arranged to act as a cover plate to seal an air duct of the printer cartridge.

Silverbrook discloses the shield acting as a cover plate to seal (figure 7, element 36) an air duct (figure 7, element 41) of the printer cartridge.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Silverbrook et al. with that of Silverbrook in order to protect the printhead from damage.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al. (US 6755513) in view of Silverbrook et al. (US 6443555) and Silverbrook (6893109).

Silverbrook et al. ('513) discloses a printer cartridge including an elongate body (figure 2) at least one printing fluid storage reservoir (figure 3, element 8) housed within the elongate body; a pagewidth printhead attached to the elongate body (figure 3,

element 4) in fluid communication with the at least one printing fluid storage reservoir (figure 4, elements 20 a,b,c,d), the printhead having an array of inkjet nozzles formed on a nozzle substrate (figure 2, nozzles on element 4), and a shield (figure 1, element 5) arranged alongside the nozzle substrate so that the nozzle substrate is uncovered with respect to the print media on which printing is performed by the ink jet nozzles, and (figure 1, element 4 – nozzles are able to print through slits in the shield onto the print media, therefore they are uncovered with respect to the print media; the shield does protect the nozzles from media contact) so as to contact (column 5, lines 26-44), and thereby protect the inkjet nozzles from contact with paper (figure 1, element 2) before the paper leaves the shield so as to pass the printing surface (if the paper is in contact with the shield, then it is before the paper leaves the shield).

Silverbrook et al. ('513) does not disclose a printer cradle for insertion of the cartridge or the shield arranged to seal the air duct.

Silverbrook et al. ('555) teaches a cradle of an inkjet printer into which the printhead is placed (figure 1, element 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printhead of Silverbrook et al. with the disclosure of Moore in order to create a stable and secure means of stationing the printhead during a print job and allowing for easy replacement of printheads.

Silverbrook teaches the shield acting as a cover plate to seal (figure 7, element 36) an air duct (figure 7, element 41) of the printer cartridge.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Silverbrook et al. with that of Silverbrook in order to protect the printhead from damage.

Response to Arguments

Applicant's arguments filed 3/5/07 have been fully considered but they are not persuasive.

The applicant argues that the current reference does not teach a shield alongside a nozzle substrate that is uncovered with respect to the print media on which printing is performed, but the examiner disagrees. The nozzles would have to be uncovered with respect to the print media if they are to eject ink onto the media.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. E. M./
Examiner, Art Unit 2853

Laura E. Martin

/Manish S. Shah/

Primary Examiner, Art Unit 2853